

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Kofi M. COOPER

CASE NUMBER:

1:05MJ00257

I, Joshua S. Bezy, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On July 29, 2005 in Hamilton County, in the Southern District of Ohio, defendant(s) did,

- (1) knowingly and unlawfully possess a firearm in and affecting interstate commerce, having been previously convicted of a crime punishable by a term of imprisonment exceeding one (1) year; and
- (2) knowingly and unlawfully possess with intent to distribute a controlled substance to wit: heroin

in violation of Title 18 United States Code, Section(s) 922(g)(1) and Title 21 U.S.C. §§841(a)(1) and (b)(1)(A)(iii).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco and Firearms and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof: ☒ YES ☐ NO

Sworn to before me and subscribed in my presence,
09/08/2005

Date

Timothy S. Hogan, United States Magistrate Judge

Name and Title of Judicial Officer

Signature of Complainant

Cincinnati, OH

AT

City and State

Signature of Judicial Officer

AFFIDAVIT

1. This affidavit is submitted in support of an application for a United States Court Criminal Complaint and Arrest Warrant from the United States District Court for the Southern District of Ohio.
2. I, Joshua S. Bezy, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) and have been so employed for over three (3) years. As part of my training with the ATF, I graduated from the Federal Law Enforcement Training Center Criminal Investigator School in Glynco, GA. I also graduated from the ATF National Academy New Professional Training school in Glynco, GA. I am an ATF Firearms Interstate Nexus Expert and have testified as an expert witness in that capacity on numerous occasions in federal court. Prior to my employment with the ATF, I was a police officer with the Indianapolis Police Department. I am also a graduate of Indiana University and the Indiana University School of Law- Indianapolis where I studied criminal law, criminal procedure and constitutional law. I have participated in the preparation and execution of both federal search and federal arrest warrants.
3. The information contained in this affidavit is based on personal knowledge and on information received from other law enforcement officers.
4. On 07/24/2005, Gregory Ellis died as a result of homicidal violence at 887 Glenwood Avenue in Cincinnati, OH. Cincinnati Police Department (CPD) Homicide Investigators subsequently identified Kofi M. COOPER as a suspect in that homicide.
5. On 07/29/2005, CPD Homicide Investigators obtained a state search warrant for the residence of Kofi M. COOPER at 3603 Shaw Avenue, Cincinnati, OH 45208. Investigators began a surveillance of COOPER's residence and observed her leaving her home on Shaw Avenue with a young female child and enter a Blue Jeep Laredo. Cincinnati Police Officers followed COOPER and conducted a traffic stop on the Norwood Lateral area of Cincinnati, OH. Officers placed COOPER in custody and towed the Jeep Laredo to the Cincinnati Police Department Impound Lot.
6. CPD Homicide Investigators and officers then executed the search warrant at COOPER's residence at 3603 Shaw Avenue, Cincinnati, OH. Officers recovered numerous items including a Street Sweeper .12 gauge shotgun, suspected narcotics, firearm accessories, and U.S. currency from the master bedroom of COOPER's residence.
7. Investigators attempted to interview COOPER regarding her involvement in the homicide and the evidence recovered from her home. COOPER refused to cooperate with investigators on either matter. COOPER was then booked on

charges of Aggravated Murder, Aggravated Robbery, Drug Possession, and Weapons Under Disability. COOPER is described as a black female, 5-3 tall, 125lbs and has FBI # 812689AB6.

8. On 08/01/2005, CPD Homicide Investigators obtained a state search warrant for the Blue Jeep Laredo that COOPER was driving at the time of her arrest. Investigators recovered a Glock .45 caliber pistol from the center console of that vehicle. Investigators further learned that the Jeep Laredo is registered to Enterprise-Rent-A-Car and was under a rental agreement to COOPER as of 07/25/2005.
9. On 08/01/2005, CPD officers test-fired the two firearms recovered from COOPER and found that they are both operable and in good working condition.
10. On 08/03/2005, Hamilton County (OH) Crime Laboratory Forensic Scientist Jeffrey W. Reineke analyzed the suspected narcotics recovered from COOPER's residence on 07/29/2005. Reineke determined that Exhibit 1-1 contained 138.9 grams of heroin and benzocaine (a narcotics cutting agent).
11. On 08/23/2005, CPD Officer Jennifer Ernst conducted a computerized query of COOPER's criminal history and learned that COOPER has a lengthy arrest record and several felony convictions. On this same date, Off. Ernst obtained certified copies of criminal conviction for the following Ohio felony convictions:
 - a. On 07/26/1995, the Hamilton County (OH) Court of Common Pleas Grand Jury indicted Kofi M. COOPER for Receiving Stolen Property and Felonious Assault under case number B9505338. On 10/04/1995, COOPER pled guilty to Receiving Stolen Property (F-3) and Felonious Aggravated Assault (F-2) and received a total sentence of three (3) to fifteen (15) years incarceration.
 - b. On 09/28/1995, the Hamilton County (OH) Court of Common Pleas Grand Jury indicted Kofi M. COOPER for Robbery under case number B9508650. On 10/04/1995, COOPER pled guilty to Aggravated Robbery (F-2) and received a sentence of three (3) to fifteen (15) years incarceration.
12. On 08/23/2005, Officer Ernst submitted a fingerprint card relating to COOPER's 1995 felony convictions to the Hamilton County (OH) Sheriff's Department Bureau of Identification Unit. Deputy Nimesskern compared this fingerprint card to the fingerprint card from COOPER's arrest on 07/29/2005. Deputy Nimesskern determined that both of the fingerprint cards were made by one person, Kofi M. COOPER.
13. On 09/08/2005, your affiant examined the firearms recovered from Kofi M. COOPER on 07/29/2005 and 08/01/2005. Your affiant identified the firearms as

a S/S, model Street Sweeper, .12 gauge revolving cylinder shotgun bearing serial number 12782 and a Glock, model 36, .45 caliber pistol bearing serial number FBS722 respectively. Your affiant determined that neither of the firearms were manufactured in the State of Ohio. Therefore, both of the firearms must have traveled in interstate commerce to appear in the possession of Kofi M. COOPER in the State of Ohio.

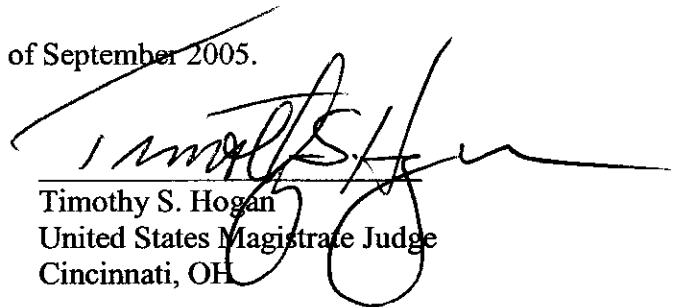
14. Based on the above facts and circumstances, your affiant believes that Kofi M. COOPER did unlawfully possess a firearm, to wit: an S/S Street Sweeper .12 gauge shotgun, that affected interstate commerce in violation of Title 18 United States Code §922(g)(1).
15. Based on the above facts and circumstances, your affiant believes that Kofi M. COOPER did unlawfully possess a firearm, to wit: a Glock Model 36 .45 caliber pistol, that affected interstate commerce in violation of Title 18 United States Code §922(g)(1).
16. Based on the above facts and circumstances, your affiant believes that Kofi M. COOPER did unlawfully possess a controlled substance with intent to distribute in violation of 21 U.S.C. §841(a)(1).

Further affiant sayeth naught,



Joshua S. Bezy
Special Agent, ATF
Cincinnati, OH

Subscribed and sworn to before me this 8th day of September 2005.



Timothy S. Hogan
United States Magistrate Judge
Cincinnati, OH